

OCT. 15. 2004 3:29PM 866 751 0075

OCT 15 2004 NO. 1177 P. 1

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FAX

Date: October 15, 2004

Pages (including cover): 1

To: **OFFICIAL PATENT
APPLICATION RELATED
CORRESPONDENCE**

Fax: 703-872-9306

From: Raymond Van Dyke, #34,746

Docket No.: 031896-52000

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1. Transmittal and Fee Transmittal
2. NOTICE OF APPEAL (Original plus one copy)
3. Permission to charge Deposit Account No. 19-2380 in the amount of \$340.00, representing Notice of Appeal filing fee -- \$340.00

In re PATENT Application of

Inventor(s): Edward R. LAVALLIE *et al*

Filed: October 15, 1997

Serial No.: 08/949,904

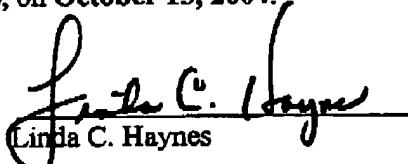
For: HUMAN SDF-5 PROTEIN AND COMPOSITION

Due Date: October 16, 2004

CERTIFICATE OF TRANSMISSION [37 CFR 1.8(a)]

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Signature:
Name: Linda C. Haynes



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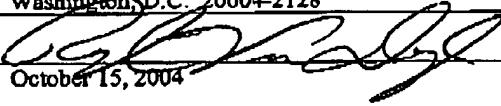
PTO/SB-21 (08-00)

Approved for use through 10/31/2003 OMB 0651-0031

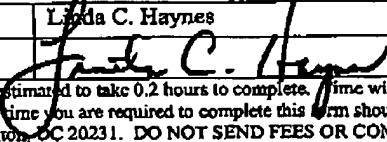
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	08/949,904
		Filing Date	October 15, 1997
		First Named Inventor	Edward R. LADALLIE
		Group Art Unit	1801
		Examiner Name	S. UNGAR
Total Number of Pages in This Submission		Attorney Docket Number	
		031896-52000 (GL5288B)	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Other Notice of Appeal
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Raymond Van Dyke, Reg. No. 34,746 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	October 15, 2004

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Type or printed name	Linda C. Haynes
Signature	
Date October 15, 2004	

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**FEE TRANSMITTAL
FOR FY 2004**

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 340)

Complete if Known	
Application Number	08/949,904
Filing Date	October 15, 1997
First Named Inventor	Edward R. LAVALLIE
Examiner Name	S. UNGAR
Art Unit	1801
Attorney Docket No.	031896-52000 (GIS288E)

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
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19-2380

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	20**	- 0	0
Independent Claims	3**	- 0	0
Multiple Dependent		- 0	0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (cont'd)		
3. ADDITIONAL FEES		
Large Entity	Small Entity	
Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or cover sheet
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053 130	1053 130	Non-English specification
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251 110	2251 55	Extension for reply within first month
1252 430	2252 213	Extension for reply within second month
1253 980	2253 490	Extension for reply within third month
1254 1,530	2254 765	Extension for reply within fourth month
1255 2,080	2255 1,040	Extension for reply within fifth month
1401 340	2401 170	Notice of Appeal
1402 340	2402 170	Filing a brief in support of an appeal
1403 340	2403 150	Request for oral hearing
1451 1,510	1451 1,510	Petition to institute a public use proceeding
1452 110	2452 55	Petition to revive - unavoidable
1453 1,370	2453 685	Petition to revive - unintentional
1501 1,370	2501 685	Utility issue fee (or reissue)
1502 490	2502 243	Design issue fee
1503 660	2503 330	Plant issue fee
1460 130	1460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1606 180	1806 180	Submission of Information Disclosure Stmt
8021 40	8021 40	Recording each patent assignment per property (times number of properties)
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(e))
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))
1801 790	2801 395	Request for Continued Examination (RCE)
1802 900	1802 900	Request for expedited examination of a design application
Other fee (specify) _____		

*Reduced by Basic Filing Fee Paid

SUBTOTAL (1) (\$ 340)

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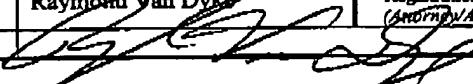
October 15, 2004

Date

Signature 

Linda C. Haynes

Typed or printed name

SUBMITTED BY				
Name (Print/Type)	Raymond Van Dyke	Registration No.	34,746	Telephone (202) 585-8000
Signature				Date October 15, 2004

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CENTRAL FAX CENTER NO. 1177 P. 4

OCT 15 2004
Docket No. 031896-5200 (GI5288B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Edward R. LAVALLIE *et al.*

Serial No. 08/949,904

Filed: October 15, 1997

For: HUMAN SDF-5 PROTEIN AND
COMPOSITIONS

)

) Group Art Unit: 1801

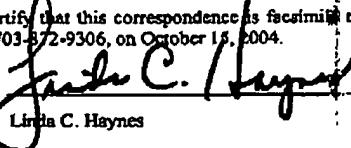
) Examiner: S. UNGAR

) Confirmation No.: N/A

) Date: October 15, 2004

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[37 CFR 1.8(a)]

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Signature: 

Name: Linda C. Haynes

NOTICE OF APPEAL

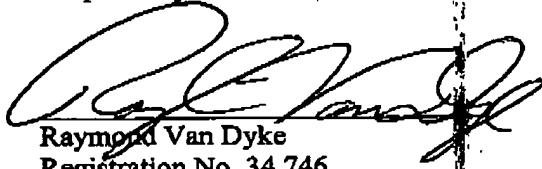
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated July 16, 2004 of the Examiner rejecting claims 18, 19, 22, 23 and 33.

Applicants hereby authorize the charging of the fee of \$340.00 and any additional fees and crediting the overpayment to Deposit Account 19-2380, and for this purpose we enclose a duplicate copy of this Notice.

Respectfully submitted,



Raymond Van Dyke
Registration No. 34,746

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(202) 585-8000

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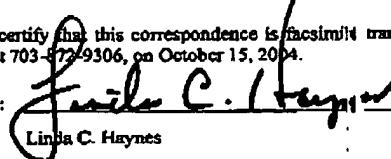
OCT 15 2004
Docket No. 031896-52001 (GI5288B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Edward R. LAVALLIE *et al.*) Group Art Unit: 1801
Serial No. 08/949,904) Examiner: S. UNGAR
Filed: October 15, 1997) Confirmation No.: N/A
For: HUMAN SDF-5 PROTEIN AND) Date: October 15, 2004
COMPOSITIONS

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

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Name: Linda C. Haynes

NOTICE OF APPEAL

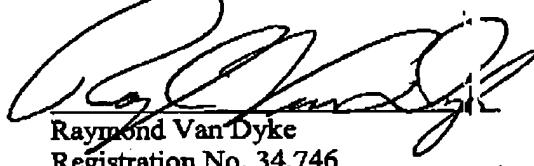
Commissioner for Patents
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